



## *Executive Officer's Report to the Board February 2003*

### **Major Activities**

#### **Board implements Emergency Regulations**

The emergency regulations implementing the new Emergency Award provisions and the new outpatient mental health service limitations went into effect February 3. The final rulemaking process was begun. The public hearing on the final emergency award regulations will be held April 15; the public hearing on the final mental health service limitations will be on April 16. The final regulations will be presented to the Board at its meeting on May 23, in time to be submitted to the Office of Administrative Law by June 3, when the emergency regulations will expire.

#### **National Crime Victims Rights Week**

April 6-12, 2003 is National Crime Victims Rights Week. This year's theme is "Victims Rights: Fulfill the Promise." Board staff will fulfill the promise by participating in the 14<sup>th</sup> Annual March on the Capitol on April 8 and by staffing a Victim Compensation Program (Program) booth to provide information regarding the Program. Additionally, Board employees will be staffing Program booths in Sacramento at Florin Mall on April 6 and the Westfield mall - Downtown Plaza, on April 7.

#### **Support Group Meetings for September 11<sup>th</sup> Family Members and Survivors**

February's meetings included a "Critical Choices" seminar sponsored by the National Center for Victims of Crime. The forum discussed financial choices, including civil lawsuits and the Federal Compensation Program. Approximately 23 people attended the northern California meeting that was held in Emeryville on February 8, and approximately 26 people attended the southern California meeting that was held in Orange County on February 9.

#### **17th Annual San Diego Conference on Child and Family Maltreatment**

The Chadwick Center for Children and Families hosted its 17<sup>th</sup> Annual San Diego Conference on Child and Family Maltreatment on February 3-7, at the Town and Country Resort and Convention Center in San Diego. The San Diego Conference focused on multi-disciplinary best-practice efforts to prevent, if possible, or otherwise to investigate, treat, and prosecute child and family maltreatment. The objective of the Conference was to develop and enhance professional skills and knowledge in the prevention, recognition, assessment and treatment of all forms of maltreatment including those related to family violence and substance abuse as well as to enhance investigative and legal skills. Issues concerning support for families, prevention, leadership, policy making and translating the latest research into action were also addressed. Staff from the Board's Quality Assurance Mental Health unit attended the conference and hosted a Victim Compensation Program/Quality Assurance Mental Health booth. Approximately 1,700 people attended the conference.

#### **Board Continues to Provide Outreach**

Approximately 300 Victim Compensation Program (Program) brochures, applications, and posters were distributed at the following conferences during the month of February: Child Abduction Intervention and Training, hosted by Office of Criminal Justice Planning on February 26 in San Jose, and a conference sponsored by Restorative Resources in Santa Rosa on February 27. More than 100 representatives from law enforcement agencies, district attorney offices, community based organizations, and victim witness centers attended the conference. Although Board staff are unable to attend because of the current budget situation Program information was made available to conference attendees.

### **Training and Education**

2/19-20 David Shaw, Deputy Executive Officer of the Revenue Recovery Division, attended a one and a half day Crime Charging and Sentencing Seminar in Sacramento sponsored by the California District Attorneys Association (CDAA).

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<b>SUMMARY OF REVENUE AND EXPENDITURES (ATTACHMENTS)</b>	

During the seminar, Dave participated in roundtable discussions with executive staff members of CDAA, city and county prosecutors as well as instructors, bringing victim restitution and recovery issues into the charging and sentencing discussions.

2/ 25 Board staff provided training on restitution to approximately 40 Contra Costa County probation officers, revenue officers, and victim witness staff.

2/26/27 As part of the Board's criminal restitution compact with the California Department of Corrections (CDC), CDC staff conducted a two-day training on February 26-27 to approximately 25 San Luis Obispo County Deputy District Attorneys and 30 probation officers, respectively.

## Upcoming Events

*(The conferences and events listed below are for informational purposes only.)*

### **California Correctional Peace Officers Association's (CCPOA) 14<sup>th</sup> Annual Victims March**

**Date:** April 8, 2003

**Location:** West steps, State Capitol

**Description:** The Annual Victims March will be held on the west steps of the state Capitol. The ceremony will begin at 11:45 a.m. Photographs of loved ones lost to violent crimes will be displayed and various organizations will be staffing booths to provide information to attendees. Board staff will participate in the March and staff a Program booth. For more information contact Debbie Rollins, CCPOA at (800) 821-6443, ext. 239.

### **National Institute of Justice (NIJ) Symposium**

**Date:** April 14-15, 2003

**Location:** Park Hyatt Hotel, Washington, DC

**Description:** The National Institute of Justice (NIJ) is sponsoring a symposium to review findings and conclusions from two recently completed national evaluations of the Victims of Crime Act Program (VOCA). Symposium discussions will focus on the two evaluations of victim compensation and assistance programs, and on victims' needs and how these needs are met. Kelly Brodie, executive officer and approximately 20 practitioners and researchers with experience in the victims field, will be asked to provide NIJ and the Office for Victims of Crime (OVC) with feedback on the two VOCA evaluations, and their implications for policy and practice in this area.

### **8th Annual Leadership Conference for the National Center for Women & Policing**

**Date:** April 22-26, 2003

**Location:** Wilshire Grand Hotel, Los Angeles

**Description:** The National Center for Women & Policing will hold its 8<sup>th</sup> Annual Leadership Conference in Los Angeles. The focus of this conference will be the international trafficking of women and children and what it means for state, local and community policing. Issues to be addressed include: the U.S. government's role in combating international trafficking, non-governmental organizations' experience with international trafficking and law enforcement, and police corruption that aids international traffickers. For additional information visit the National Center for Women and Policing at [www.womenandpolicing.org](http://www.womenandpolicing.org).

### **2003 International Domestic Violence, Sexual Assault and Stalking Conference**

**Date:** April 23-25, 2003

**Location:** Holiday Inn on the Bay, San Diego

**Description:** The Sexual Assault Training & Investigations (SATI) will be holding its annual conference in San Diego. SATI provides effective, victim-centered, multi-disciplinary training and expert consultation regarding crimes of sexual assault. Law enforcement, prosecutors, victim advocates, judges, parole and probation, rape crisis workers, medical personnel, faith community, and educators are expected to attend. Program applications and brochures will be available to conference attendees. For additional information visit the SATI website at [www.mysati.com](http://www.mysati.com).

### **83rd Annual CPOA Conference**

**Date:** May 19-23, 2003

**Location:** Double Tree Hotel, Monterey

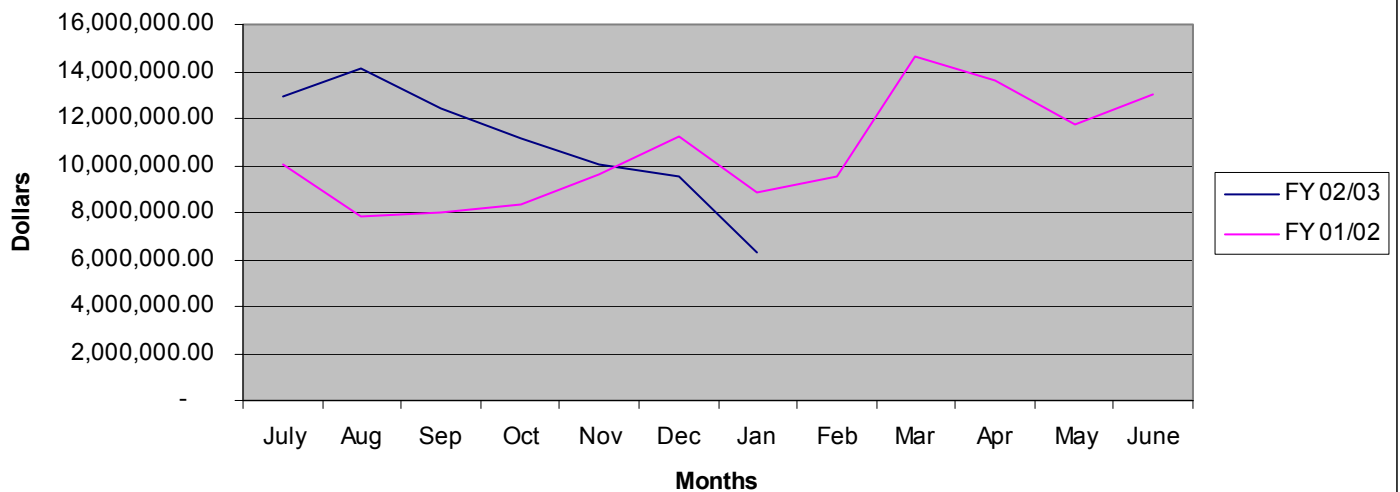
**Description:** The California Peace Officers' Association (CPOA) is holding its 83<sup>rd</sup> Annual Conference in May 2003. Cutting-edge training will be offered. More information will be available in early 2003. Program applications and brochures will be available to conference attendees. For more information visit CPOA's website at [www.cpoa.org](http://www.cpoa.org) or call (916) 263-0541.

# Victim Compensation Program Activity

## VCP PAYMENTS

Fiscal Year Comparison	Month of January	Fiscal Year to Date	% Change from Prior FY
<b>FY 02/03</b>	<b>\$6,288,106</b>	<b>\$76,521,385</b>	<b>20%</b>
<b>FY 01/02</b>		<b>\$63,923,719</b>	

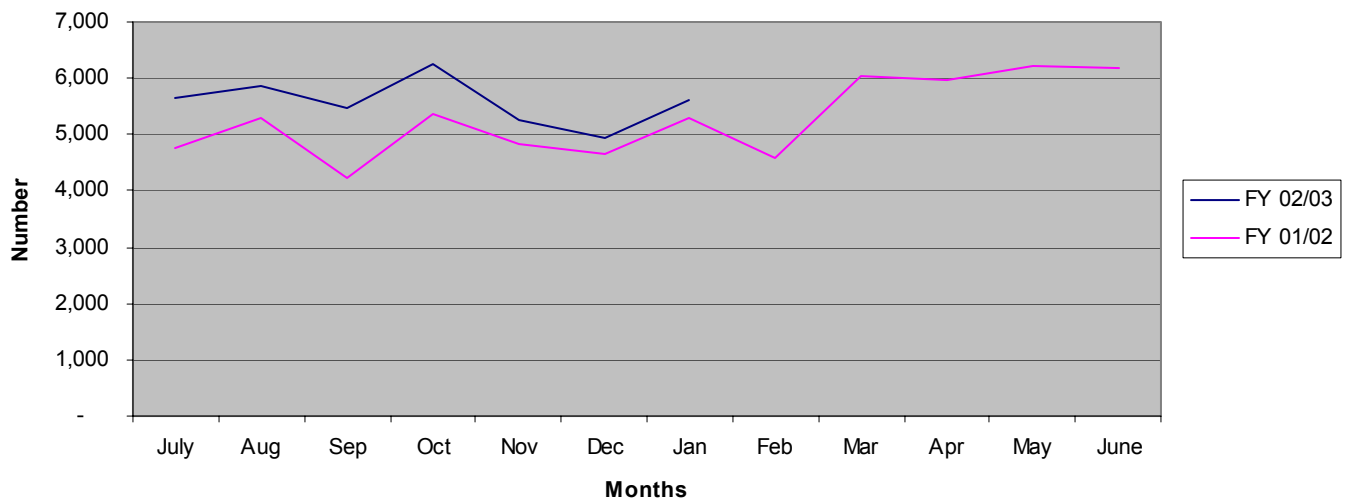
### Payment Awards



## VCP NUMBER OF CLAIMS RECEIVED

Fiscal Year Comparison	Month of January	Fiscal Year to Date	% Change from Prior FY
<b>FY 02/03</b>	<b>5,607</b>	<b>39,048</b>	<b>13%</b>
<b>FY 01/02</b>		<b>34,410</b>	

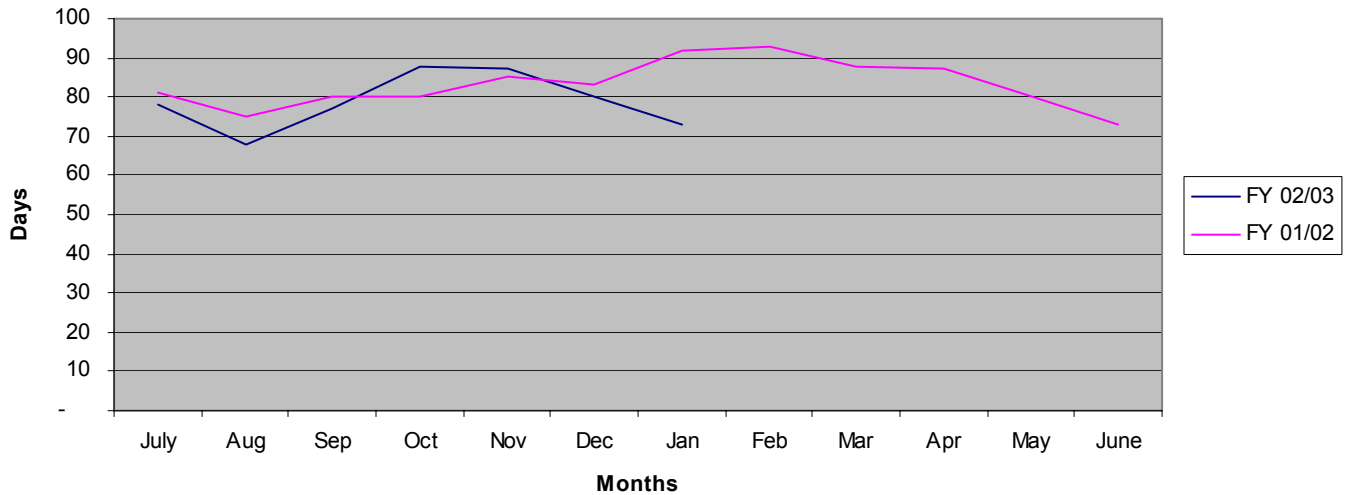
### Number of VCP Claims Received



### VCP CLAIM PROCESSING TIME IN DAYS

Fiscal Year Comparison	Month of January	Fiscal Year to Date	% Change from Prior
<b>FY 02/03</b>	<b>73</b>	<b>79</b>	<b>-4%</b>
<b>FY 01/02</b>		<b>82</b>	

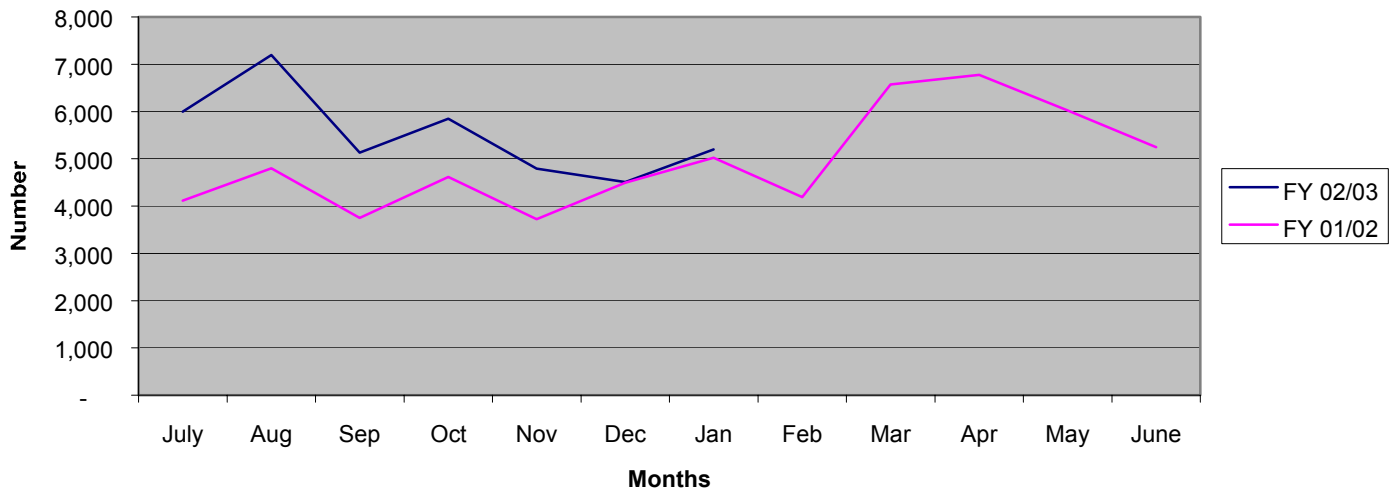
#### VCP Average Processing Time



### VCP CLAIMS ALLOWED

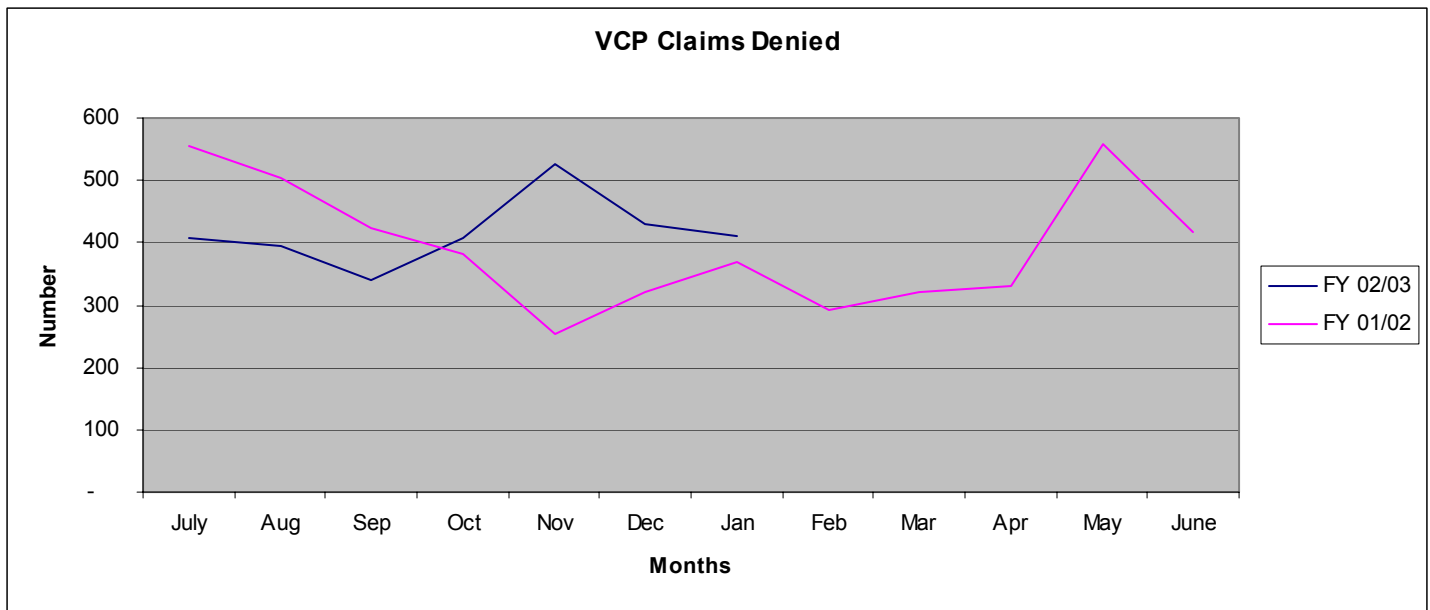
Fiscal Year Comparison	Month of January	Fiscal Year to Date	% Change from Prior FY
<b>FY 02/03</b>	<b>5,196</b>	<b>38,660</b>	<b>27%</b>
<b>FY 01/02</b>		<b>30,517</b>	

#### VCP Claims Allowed



## VCP CLAIMS DENIED

Fiscal Year Comparison	Month of January	Fiscal Year to Date	% Change from Prior FY
<b>FY 02/03</b>	<b>411</b>	<b>2,920</b>	<b>4%</b>
<b>FY 01/02</b>		<b>2,808</b>	

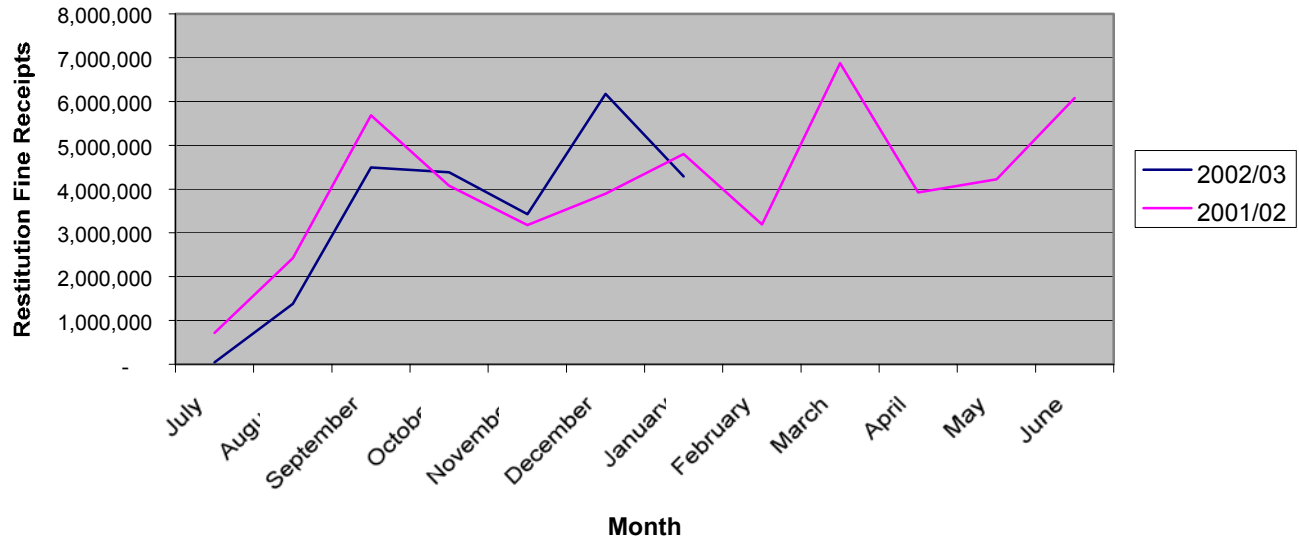


## Revenue and Recovery

### RESTITUTION FINES

Fiscal Year Comparison	Month of January	Fiscal Year to Date	% Change from Prior FY
<b>FY 02/03</b>	<b>4,285,634</b>	<b>24,183,122</b>	<b>-2%</b>
<b>FY 01/02</b>		<b>24,772,389</b>	

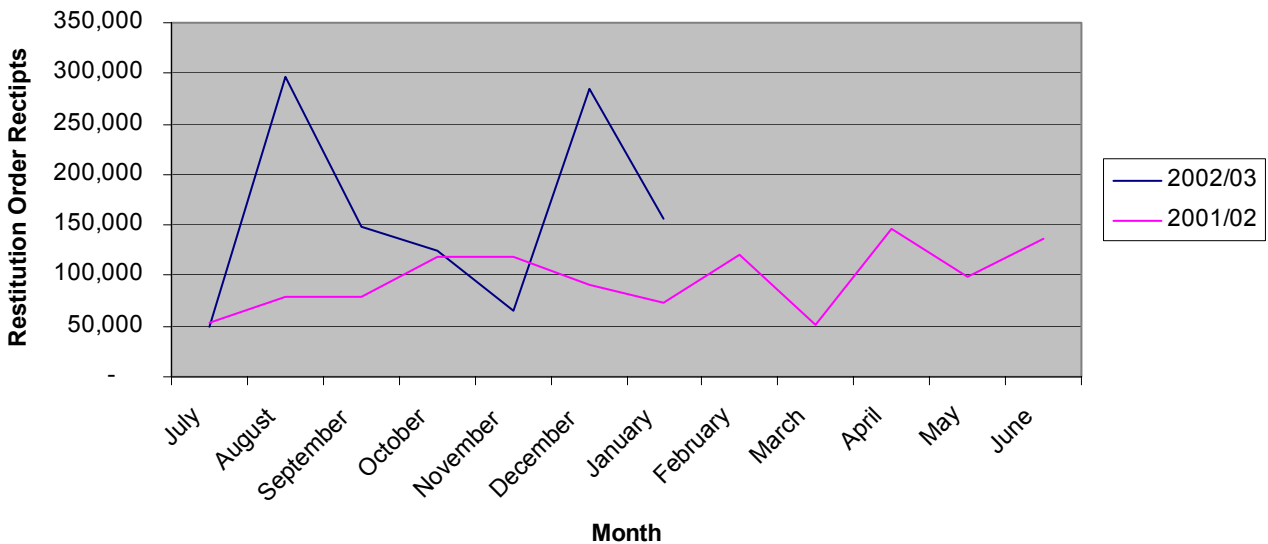
#### Restitution Fine Receipts By Month



### RESTITUTION ORDERS

Fiscal Year Comparison	Month of January	Fiscal Year to Date	% Change from Prior FY
<b>FY 02/03</b>	<b>155,784</b>	<b>1,121,649</b>	<b>83%</b>
<b>FY 01/02</b>		<b>613,154</b>	

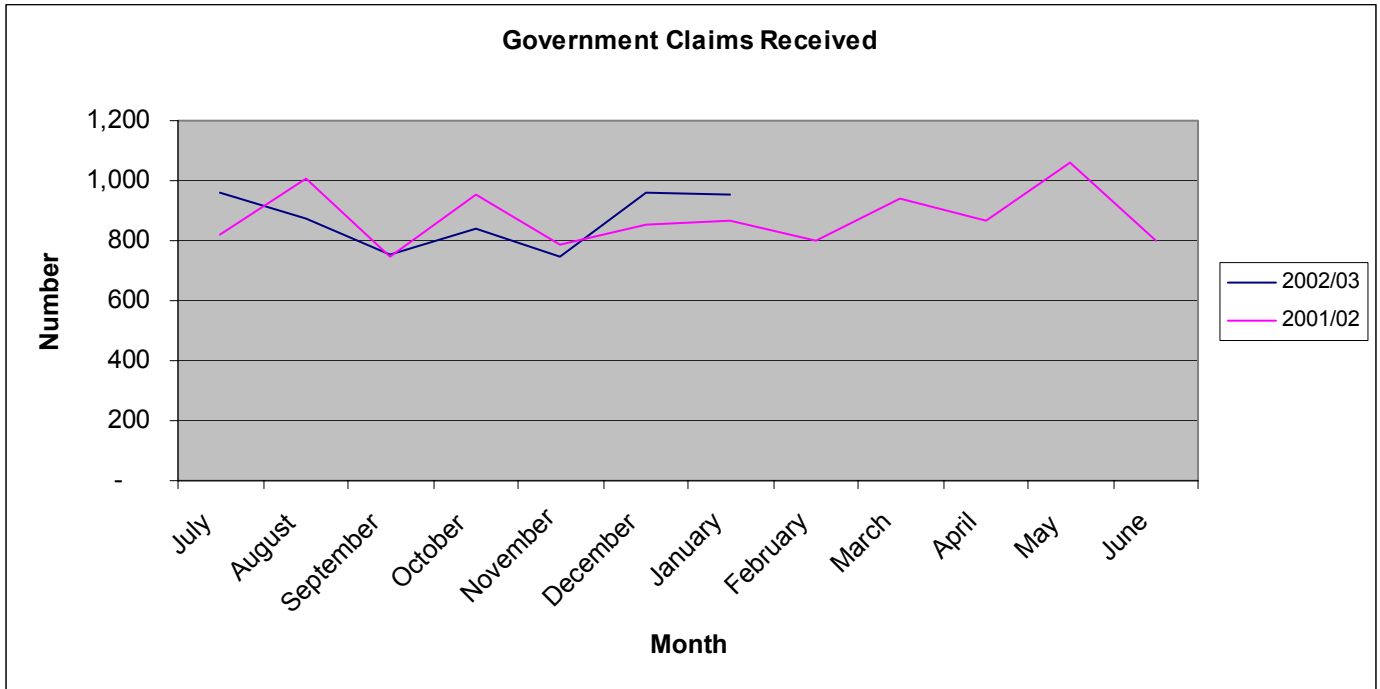
#### Restitution Order Receipts By Month



# Government Claims

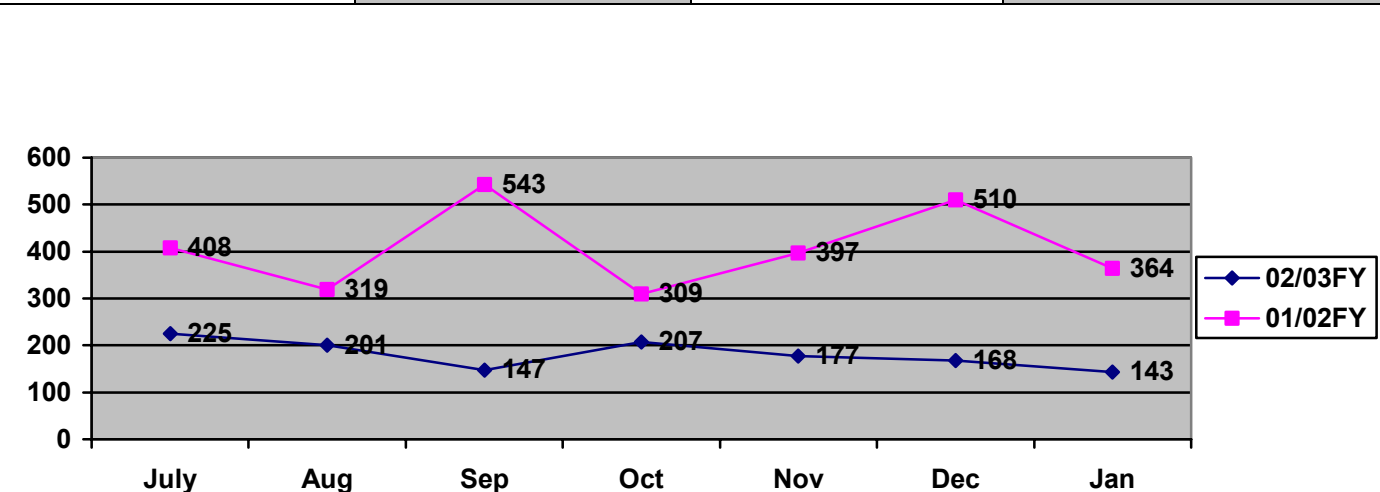
## GOVERNMENT CLAIMS RECEIVED

Fiscal Year Comparison	Month of January	Fiscal Year to Date	% Change from Prior FY
<b>FY 02/03</b>	<b>955</b>	<b>6,083</b>	<b>1%</b>
<b>FY 01/02</b>		<b>6,042</b>	



## CONTRACT CLAIMS – AVERAGE PROCESSING TIME

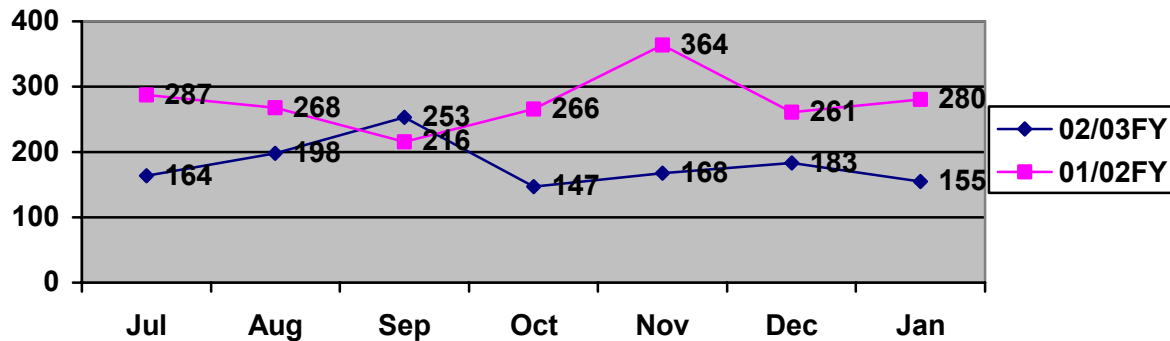
Fiscal Year Comparison	Month of January	Fiscal Year to Date	% Change from Prior FY
<b>FY 02/03</b>	<b>143</b>	<b>185</b>	<b>-52%</b>
<b>FY 01/02</b>		<b>390</b>	



**Contract claims** -These are typically claims where a vendor has provided services to the State, but a purchase order or contract was not officially in place at the time the services were performed and, therefore, the affected agency does not have the authority to pay the invoice without the Board's approval.

### EQUITY CLAIMS – AVERAGE PROCESSING TIME

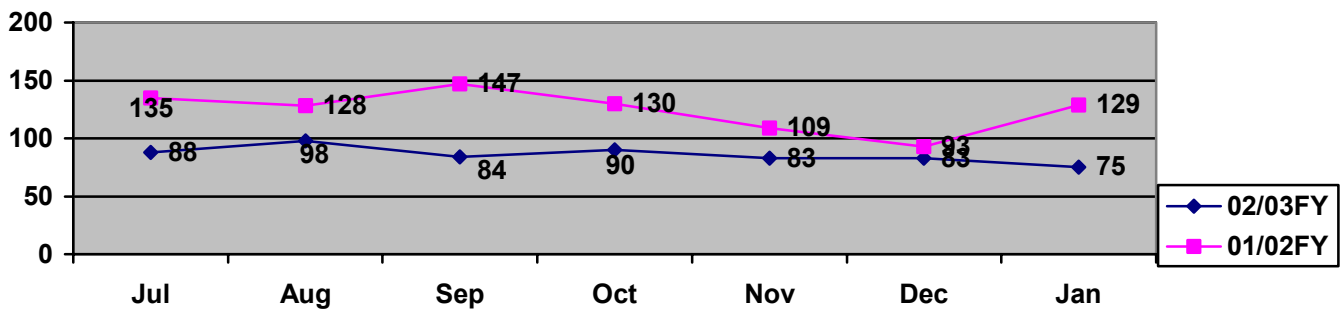
Fiscal Year Comparison	Month of January	Fiscal Year to Date	% Change from Prior FY
FY 02/03	155	161	-40%
FY 01/02	280	272	-



**Equity Claims** - These are claims where there is no legal liability on the part of the State to pay, but for which the claimant has asked the Board to exercise its equity power to provide payment in fairness for the action or inaction of a State agency. Also included to a large degree are outdated warrants (State-issued checks that went un-cashed for more than 3 years).

### TORT CLAIMS – AVERAGE PROCESSING TIME

Fiscal Year Comparison	Month of January	Fiscal Year to Date	% Change from Prior FY
FY 02/03	75	87	-30%
FY 01/02	129	125	-



**Tort Claims** –These are claims for damages filed against specific State agencies. These claims are generally rejected, but are a required administrative action to be taken by a claimant prior to bringing civil action against the State in a court of law. The filing of the Tort claim gives the State advance notice of potential future litigation.



## Hearing Appeals Section

February 2003

### APPEALS

Received During Month	Reviewed		Other Action *	Total Reviewed	Being Reviewed
	Allowed Without Hearing	Sent to Hearing Officer			
81	22	37	24	83	136

### REQUEST FOR RECONSIDERATION

Received During Month	Reviewed			Total Reviewed	Being Reviewed
	Grant Allow/Sent to Hearing Officer	Deny	Other Action**		
59	13	17	5	35	72

### HEARINGS

Hearing Officer Meeting Scheduled	Scheduled for Board Hearing		
	Proposed Decisions	Other Action ***	Not yet Scheduled
97	66	28	105

\*Includes appeals sent to Legal Division or Chief Hearing Officer for "No Hearing" letter, withdrawals, reconsiderations

\*\*Includes claims that are timely appeals, withdrawals

\*\*\*Includes claims that are "no shows", "non response" to hearing officer schedule letter, "non response" to "No Hearing Letter" sent by Legal Division or Chief Hearing Officer

## Claims Examiner Pilot Project

February 2003

Number of Pending Claims	New Incoming CE Claims	Recommendations Presented to Board at the 2/28/03 Hearing	Number of Claims Awaiting Board Hearing
32	2	9	25

### CLAIMS EXAMINER CLAIMS AWAITING HEARING

Conference to be Scheduled	Conference Scheduled	Conference Held	Claims Set to Hearing
5	0	4	16